

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: MIYAZONO, et. al.

SERIAL NO.: 10/559,155

Group Art Unit: TBD

FILED: December 5, 2005

Examiner: TBD

FOR: OSTEOGENESIS PROMOTION ENHANCER AND METHOD OF
SCREENING THE SAME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING
REQUIREMENTS UNDER 35 U.S.C. 371**

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371
mailed February 28, 2006, a copy of which is attached, enclosed please find a
Declaration and Power of Attorney signed by the applicants.

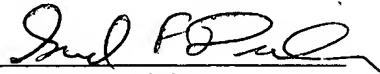
Please deduct the \$130.00 fee for filing Missing Requirements, and any fees
incurred in responding to this Notification of Missing Requirements under 35 U.S.C.
371, from our Account No. 50-1561.

03/17/2006 LLANDGRA 00000036 501561 10559155

01 FC:1617 130.00 DA

Dated: March 8, 2006

By: Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gerard F. Diebner", written over a horizontal line.

Gerard F. Diebner
Registration No. 31,345
Customer Number: 32361
GREENBERG TRAURIG
200 Park Avenue
New York, New York 10166
(212) 801-9200
(212) 801-2134 (Direct Dial)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Kohei Miyazono
SERIAL NO.: 10/559,155
FILED: December 5, 2005
ATTY. DOCKET: 44342.018300
TITLE: OSTEOGENESIS – PROMOTION ENHANCER AND METHOD
OF SCREENING THE SAME

REGULAR MAIL CERTIFICATE

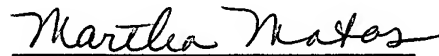
Date of Deposit: March 8, 2006

I hereby certify that the following attached paper(s) and/or fee

- (1) Response to Notification of Missing Requirements Under 35 USC 371 (2 pages);
- (2) Copy of Notification of Missing Requirement DATED 2/28/06 (2 pages);
- (3) Executed Combined Declaration of Inventors and Power of Attorney (4 pages);
- (4) Fee Transmittal Form to deduct \$130 for late filing of documents from Deposit Account 50-1561;
- (5) A self-addressed stamped postcard, return of which is requested to acknowledge receipt of the enclosed documents.

are being deposited with the United States Postal Service to Addressee First Class Service under 37 C.F.R. Section 1.10 on the date indicated above and is addressed to the MAIL STOP PCT; Commissioner for Patents, P. O. Box 1450; Alexandria, VA 22313-1450.

Respectfully submitted,
GREENBERG TRAURIG, LLP



Martha Matos
Administrative Assistant

Dated: March 8, 2006

Gerard F. Diebner, Esq.
GREENBERG TRAURIG LLP
Met Life Building
200 Park Avenue, 34th Floor
New York, New York 10166
Phone: 212-801-2134
Fax: 212-801-6400

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<p>Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</p> <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">For FY 2005</h3>		<p>Complete if Known</p>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/559,155
		Filing Date	December 5, 2005
		First Named Inventor	Kohei Miyazono
		Examiner Name	TBA
		Art Unit	TBA
TOTAL AMOUNT OF PAYMENT (\$)		130	
		Attorney Docket No.	44342.018300

METHOD OF PAYMENT (check all that apply)

☐ Check
 ☐ Credit Card
 ☐ Money Order
 ☐ None
 ☐ Other (please identify): _____

☒ Deposit Account
 Deposit Account Number: 50-1561
 Deposit Account Name: Greenberg Traurig

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below
 ☐ Charge fee(s) indicated below, except for the filing fee

☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17
 ☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	\$0
Design	200	100	100	50	130	65	\$0
Plant	200	100	300	150	160	80	\$0
Reissue	300	150	500	250	600	300	\$0
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims - 20 or HP = 0 x \$0 = \$0
 HP = highest number of total claims paid for, if greater than 20.
Indep. Claims - 3 or HP = 0 x \$0 = \$0
 HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).


Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
<u>0</u>	<u>0</u>	<u>0.0</u> (round up to a whole number)	<u>\$250</u>	<u>\$0</u>

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Late Filing Documents Fees Paid (\$)

\$130

SUBMITTED BY			
Signature		Registration No. 31,345 (Attorney/Agent)	Telephone (212) 801-2134
Name (Print/Type)	Gerard F. Diebner	Date	March 8, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/559,155	Kohei Miyazono	44342.018300

INTERNATIONAL APPLICATION NO.	
PCT/JP04/08248	
I.A. FILING DATE	PRIORITY DATE
06/07/2004	

Greenberg Traurig
200 Park Avenue 34th floor
New York, NY 10166

CASE 44342 ATTY GFD
DUE April 28 2006
1 MO. CALL-UP March 28 2006

CONFIRMATION NO. 9047
371 FORMALITIES LETTER



OC000000018145235

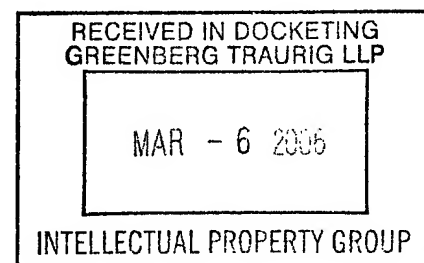
Date Mailed: 02/28/2006

BY Ejm

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/05/2005
- Copy of the International Search Report filed on 12/05/2005
- Copy of IPE Report filed on 12/05/2005
- Oath or Declaration filed on 12/05/2005
- U.S. Basic National Fees filed on 12/05/2005
- Priority Documents filed on 12/05/2005
- Specification filed on 12/05/2005
- Claims filed on 12/05/2005
- Abstracts filed on 12/05/2005
- Drawings filed on 12/05/2005



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/559,155	PCT/JP04/08248	44342.018300

FORM PCT/DO/EO/905 (371 Formalities Notice)